

## REMARKS

This is intended as a full and complete response to the Office Action dated March 31, 2005, having a shortened statutory period for response set to expire on June 30, 2005. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-24 remain pending in the application and are shown above. Claims 1-24 are rejected by the Examiner. Claim 7 has been amended to correct a matter of form. Reconsideration of the rejected claims is requested for reasons presented below.

Claims 1-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Jiang et al.* (U.S. Pub. 2002/0031906). Applicants respectfully traverse the rejection.

Applicants submit that *Jiang, et al.* fails to teach, show or suggest forming a silicon oxide layer on the first organosilicate layer as recited in Applicants' independent claims 1 and 21. *Jaing et al.* teaches an "etch stop layer 104 typically comprises silicon nitride, but other suitable etch-stop layers are known in the art (e.g. SiC)." (*Jiang, et al.*, para. [0020]). Thus, *Jiang, et al.* teaches an etch stop layer composed of either SiN or SiC. As a result, Applicants' independent claims 1 and 21 differ from the teachings of *Jiang, et al.*

As such, *Jiang, et al.* fails to teach, show or suggest the invention claimed by Applicants wherein a silicon oxide layer is formed on an organosilicate layer. Applicants therefore submit that claims 1-24 are patentable over *Jiang, et al.* Accordingly, the Applicants respectfully request the rejection of claim 1, claims 2-20 which depend thereon, claim 21, and claims 22-24 which depend thereon based on *Jiang, et al.* be withdrawn and the claims be allowed.

Applicants further submit that *Jiang, et al.* fails to teach, show or suggest etching the second organosilicate layer to define vias therein, wherein the second organosilicate layer is etched with a gas mixture comprising one or more hydrogen-containing fluorocarbon gases and one or more gases selected from the group consisting of hydrogen (H<sub>2</sub>), nitrogen (N<sub>2</sub>), oxygen (O<sub>2</sub>), argon (Ar), and helium as recited in Applicants' independent claims 1 and 21. *Jaing et al.* teaches that in "the preferred embodiment, the via etch chemistry comprises C<sub>4</sub>F<sub>8</sub>, N<sub>2</sub> and CO." (*Jiang, et al.*, para.

[0020]). Thus, *Jiang, et al.* fails to teach, show or suggest a via etch chemistry comprising a hydrogen-containing fluorocarbon gas. As a result, Applicants' independent claims 1 and 21 differ from the teachings of *Jiang, et al.*

As such, *Jiang, et al.* fails to teach, show or suggest the invention claimed by Applicants wherein a via etch is performed with a hydrogen-containing fluorocarbon. Applicants therefore submit that claims 1-24 are patentable over *Jiang, et al.* Accordingly, the Applicants respectfully request the rejection of claim 1, claims 2-20 which depend thereon, claim 21, and claims 22-24 which depend thereon based on *Jiang, et al.* be withdrawn and the claims be allowed.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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